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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,283

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Kenneth M. Kiely

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EXAMINER

LUEBKE, RENEE S

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,283

Applicant(s)

KIELY

Examiner

Renee S. Luebke

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/16/05 & 3/28/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 8, 10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 5, 10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. The substitute drawing sheets (sheets 3 and 4) submitted March 28, 2005 include the missing reference numeral. However, these sheets are seen to be informal due to their quality and use of freehand lettering. Since allowable subject matter has been indicated, formal replacement sheets (similar in quality to sheets 1 and 2) are required.

2. The disclosure is objected to because members 42A and 42B appear to be ribs (or something similar), not threads, as they appear neither continuous nor spiraled. In addition, applicant should update the information about the related application at the beginning of page 1. Appropriate corrections are required.

3. Claims 2-5, 10 and 12 are objected to because of the following informalities:

- a. On line 4 of claim 2, "portion" should be plural.
- b. On line 21 of claim 2, "a depression" should be -depressions- since many dimples does not form one depression.
- c. Claim 2 lacks antecedent basis for "said grooves" on lines 24-25 since only one groove (see line 6) has been previously defined.
- d. On the penultimate line of claim 2, "prohibits" should be -prohibit- .
- e. Claim 10 lacks antecedent basis for "the positioning" on lines 8-9. It is suggested that "the positioning" be changed to -movement- or something similar.
- f. The hole and box of lines 9-10 in claim 10 are previously mentioned (although the terminology is slightly altered) and this should be acknowledged. It is suggested that "through a knock out opening of an electrical box" be changed to -through the knock out hole of the electrical box," to clarify the matter.

Appropriate corrections are required.

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claim 1 remains rejected under 35 U.S.C. 102(b) as being anticipated by Fahnestock. This device comprises a body with an inlet portion (toward the left) and an outlet portion (toward the right); and shoulders 11, 12. A recess formed by shoulder 11 and the retainer ring 15 is defined between the shoulders and provides a relief space for the tangs 16. The tangs 16 are normally spaced above (actually outward of, since the device is cylindrical) the relief space. It is noted that the limitation that the tangs "minimize the force required for insertion" is not seen to carry much patentable weight since "minimize" is a relative term that has not been given any basis for comparison. As claimed, the shoulders are merely required to be spaced apart and extending outwardly of the outlet portion. The shoulders 11, 12 of Fahnestock are shown to be spaced apart in Fig. 3. In addition, they form faces that are parallel to the radius and extend outwardly along that radius. The retainer ring is directly supported on the shoulders, as claimed, since it sits directly against shoulder 12 and cannot move beyond the shoulders.

6. Claims 2, 3, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil, et al. in view of Semonchik, et al. The device of O'Neil comprises a connector body having an inlet end with a flange and an outlet end, and a snap fit retainer ring 20. The retainer ring comprises tangs 22, 23 that project radially outwardly and dimples 50 form depressions and that project inwardly (see figs. 10-13). The dimples secure the ring on a threaded body (column 7, lines 20-25) and are "arranged to project into" the grooves as claimed. In regard to claim 3, the tangs include a series 23 that include an edge portion of the ring, which is arcuately shaped (Fig. 7).

The device of O'Neil does not include arcuate portions and opposed flattened portions on the outlet end and retainer that prohibit rotation therebetween. However, Semonchik teaches the use of such structure (93, 58, 84, etc.) which serves the claimed purpose. As it is well known to use this structure for the purpose of prohibiting rotation, it would have been obvious to include the flat portions on the device of O'Neil as taught by Semonchik.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil and Semonchik in view of Tinnerman. The ring of O'Neil lacks a compound curvature on the tangs 23. However, Tinnerman shows this common alternative on tangs 11, which helps secure the ring against the box. In order to improve the securement of the connector of O'Neil to the box, it would have been obvious to include a tang shaped as taught by Tinnerman.

8. Claims 10 and 12 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

Claim 5 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

Art Unit: 2833

no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. It is suggested that responses to this final action be faxed to:
(703) 872-9306

Please refrain from sending a confirmation copy, as noted in 37 CFR 1.6(d) and 1.8(b).

Alternatively, responses may be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Renee Luebke at (571) 272-2009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.



Renee S. Luebke
Primary Patent Examiner
March 31, 2005